

CHARTER TOWNSHIP OF MONITOR  
REGULAR TOWNSHIP BOARD MEETING  
FEBRUARY 23, 2015

The Supervisor called the meeting to order at 7:00 p.m.

Members present: Brandt, Kowalski, Pike, Malkin, Miller  
Members absent: Arnold, Kochany

The Pledge of Allegiance was recited by all present.

Public Input opened at 7:01 p.m. No public present wished to speak and public input was closed.

Motion by Malkin supported by Pike to adopt the agenda with the addition of Fire Department Copier and Township Attorney.  
Motion carried.

Motion by Miller supported by Pike to approve the minutes of the February 9, 2015 regular meeting as presented.  
Motion carried.

Motion by Pike supported by Miller to pay the bills in the amount of \$8,699.38 from General Fund.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Malkin, Miller

No: None

Absent: Arnold, Kochany

Motion carried.

DWS Annual REU Review & Recommendation

Motion by Kowalski supported by Miller to approve the DWS February 23, 2015 recommendation to adjust REUø based on actual use history, resulting in a net REU increase of 3.32 REUø, to be made effective the 2<sup>nd</sup> Quarter 2015 billing cycle.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Malkin, Miller

No: None

Absent: Arnold, Kochany

Motion carried.

Road Millage Project Discussion and Possible Resolution of Intent to Issue Bonds

Motion by Malkin supported by Miller to adopt Resolution R-2015-003, a resolution of intent to issue bonds for road millage improvements not to exceed \$9,000,000.

**NOTICE OF INTENT RESOLUTION  
CAPITAL IMPROVEMENT BONDS**

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**CHARTER TOWNSHIP OF MONITOR**

County of Bay, State of Michigan

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WHEREAS, the Charter Township of Monitor, County of Bay, State of Michigan (the "Township") intends to issue general obligation limited tax bonds pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), in an aggregate principal amount of not to exceed Nine Million Dollars (\$9,000,000) (the "Bonds"), for the purpose of paying part of the costs of acquiring and constructing road improvements in the Township, including all related appurtenances and attachments thereto (the "Project"); and

WHEREAS, a notice of intent to issue the Bonds must be published before the issuance of the Bonds in order to comply with the requirements of Section 517 of Act 34; and

WHEREAS, the Township intends at this time to state its intentions to be reimbursed from proceeds of the Bonds for any expenditures undertaken by the Township for the Project prior to issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Township Clerk is authorized and directed to publish a notice of intent to issue bonds in the *Bay City Democrat*, a newspaper of general circulation in the Township.

2. The notice of intent shall be published as a display advertisement not less than one-quarter (1/4) page in size in substantially the form attached to this resolution as Exhibit A.

3. The Township Board does hereby determine that the foregoing form of Notice of Intent to Issue Bonds and the manner of publication directed is the method best calculated to give notice to the Township's electors and taxpayers residing in the boundaries of the Township of the Township's intent to issue the Bonds, the maximum amount of the Bonds, the purpose of the Bonds, the source of payment for the Bonds and the right of referendum relating thereto, and the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed.

4. The Township makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

- (a) The Township reasonably expects to reimburse itself with proceeds of the Bonds for certain costs of the Project which were paid or will be paid from funds of the Township subsequent to sixty (60) days prior to today.
- (b) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$9,000,000.
- (c) A reimbursement allocation of the capital expenditures described above with the proceeds of the Bonds will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Project is placed in service or abandoned,

but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the Township's use of the proceeds of the Bonds to reimburse the Township for a capital expenditure made pursuant to this resolution.

5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Roll call vote:

Yes: Brandt, Pike, Malkin, Miller

No: Kowalski

Absent: Arnold, Kochany

Motion carried.

#### Holly Springs Phase II ó Tentative Preliminary Plat Approval

Motion by Malkin supported by Kowalski to grant Tentative Preliminary Plat Approval for Holly Springs Phase II, as recommended by the Planning Commission at their February 3, 2015 meeting.

Roll call vote:

Yes: Kowalski, Pike, Malkin, Miller

No: Brandt

Absent: Arnold, Kochany

Motion carried.

#### Board of Review Appointments

Motion by Kowalski supported by Malkin to appoint K. Thomas to the Board of Review; reappoint R. Periard and R. Keinbaum to the Board of Review; and appoint G. Kimmerly as an Alternate member to the Board of Review; with all terms commencing January 1, 2015 and expiring on December 31, 2016.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Malkin, Miller

No: None

Absent: Arnold, Kochany

Motion carried.

#### Clerk's Office 2014 & 2015 Budget Adjustments

Motion by Pike supported by Malkin to approve the adjustments to the 2014 General Fund, 2014 Building Fund, and 2015 General Fund budgets as presented in the Clerk's Office memo to the board dated February 23, 2015.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Malkin, Miller

No: None

Absent: Arnold, Kochany

Motion carried.

### Fire Department Copier

Brandt reported the copier in the Fire Department has stopped working and has reached the end of its useful life. The estimate to repair is over \$800 with no guarantee or service contract. Brandt spoke with the representative from Brady who quoted \$1,400 for a new copier or \$500 for a used copier for sale as is with no service contract from Bangor Township Schools. Brandt will discuss the options with the Fire Chief.

### Township Attorney

It was reported that Rick Austin, our township attorney of over 30 years, has retired and is moving to Georgia. The board will need to make a decision in the coming weeks to appoint a new township attorney. In the mean time, Austin's associate, A. Doyle will finish the open court cases and the Clerk will ask R. Sheppard, the planning commission attorney if he will act as interim attorney for other legal matters.

### REPORTS

Brandt reported he has started to schedule meetings with the subdivisions tentatively scheduled in Phase 1 of the millage road project, to discuss with the residents any drainage or curb/gutter issues they may be experiencing that would not be covered by the road millage. The first set of meetings are scheduled for March 5, March 12 and March 19.

The meeting adjourned at 8:00 p.m.

Cindy L. Kowalski, Clerk

Gary A. Brandt, Supervisor